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Driftnet fishing in the
North Pacific ocean



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DRIFTNET FISHING IN THE NORTH PACIFIC OCEAN



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DRIFTNET FISHING IN THE NORTH PACIFIC OCEAN

ISSUE DEFINITION

Two recent United Nations resolutions on driftnet fishing on the high seas reflect a new consensus among the international community that concrete, immediate action is warranted to control the practice and reduce the harmful consequences to marine resources. The intentional taking of salmon on the high seas in violation of international law, and the unintentional catching of salmon by foreign countries fishing for squid, have concerned the Canadian fishing industry as well as the provincial and federal governments. The environmental consequences of large-scale salmon fishing on the high seas have also been raised. The wastefulness of driftnet fishing methods, which result in the destruction of large quantities of unwanted fish and marine mammals and sea birds, is opposed by governments and environmentalists alike. Although such fishing is being practised in various oceans, this paper will focus on the issues in the North Pacific.

BACKGROUND AND ANALYSIS

A. Definition and History

The practice of driftnet fishing involves the use of gillnets held by floats and weights in a more or less vertical position in the water. The nets are left to drift in order to enmesh and entangle fish. One or more panels may be used, generally totalling at least 2.5 kilometres of net. This method of fishing has been practised for a number of years and continues to be used on a small scale on the Atlantic Coast. It has become a subject of controversy recently, however, because of its unprecedented expansion in the Pacific Ocean.

Three fishing powers are currently engaged in driftnet fishing in the North Pacific: Japan, Korea and Taiwan. Korea and Taiwan began driftnetting in the region relatively recently. Japan's presence goes back to after the Second World War when the Japanese began to fish for salmon in the North Pacific. Japan's fishing efforts for salmon were restricted geographically when a tripartite agreement between that country, the United States and Canada came into force in 1953. This agreement (discussed at greater length below) still regulates Japanese fishing for salmon on the high seas. Under its terms, fishing for salmon using large-scale driftnets is permissible.

In the late 1970s, developments in the law of the sea were such that a number of coastal nations claimed exclusive fishing zones of 200 nautical miles, pushing distant-water fishing nations further out to sea. As opportunities for salmon fishing declined, a squid fishery on the high seas was developed and began to flourish. This fishery is extremely lucrative (estimates of its worth for 1988 range between \$800 million and \$1,600 million). It has been estimated that in 1989 Japan, Korea and Taiwan were deploying approximately 900 vessels in the North Pacific and that each vessel used as much as 50 kilometres of net each night in this massive operation.

B. Current Problems

Currently attention is focused on the squid driftnet fishery conducted by Japan, Korea and Taiwan in the North Pacific. This fishery causes concern for a number of reasons. One is that salmon can be taken as a "bycatch" - or an unintended catch. While the extent of the bycatch for any one vessel may not be large, for the squid fishery as a whole it could be significant. Reports based on data from recent years have estimated that from 3-4,000 up to 15,000 Canadian salmon may be intercepted during one fishing season. The countries engaged in driftnet fishing have enacted domestic regulations to control the bycatch, but it is unknown whether these restrictions are effective. Another concern is the illegal targeting of salmon, principally by Taiwanese vessels ostensibly engaged in squid driftnetting, but whose actual intention is to fish for salmon. The amount

of salmon taken directly is highly uncertain, but is alleged to range as high as 40,000 tonnes in a year.

A second bycatch issue, at the forefront of the concerns raised by environmental groups, has been the taking of various marine mammals and sea birds in the nets. Recent estimates are that squid driftnets in the North Pacific entangle 120,000 marine mammals and 800,000 seabirds annually, as well as thousands of marketable fish - most of which are returned dead to the sea. Driftnets lost or discarded at sea exacerbate the problem of the unintended destruction of sea life. Because the nets are made of synthetic materials, they do not deteriorate in the salt water but rather continue to fish, dropping to the bottom of the sea when full and rising to fish again after the take has been devoured or has decayed at the sea bottom. The volume of living marine resources being taken has raised concern about the conservation of the fisheries as well as the possible broader environmental impact.

C. Law of the Sea

1. General

Historically, the law governing the use of the oceans and coastal waters was based primarily on customary international law. Custom itself develops from the practice of nations and their acceptance of what are perceived to be international norms of state behaviour. In the twentieth century, the process of multilateral treaty-making has resulted in the codification of considerable segments of sea law as well as the creation of a new law of the sea. This process culminated in 1982 in the finalization of the *United Nations Convention on the Law of the Sea* (UNCLOS). Because the UNCLOS is not in force, not yet having received the required 60 ratifications, its provisions can only apply in so far as they have attained the status of customary law.

That large parts of the UNCLOS have attained the status of customary law is no longer controversial. However, because the Convention is not officially in force, it is not always clear whether all of the provisions of the Convention have the same status or whether the entire content of certain articles has been incorporated into customary law; this

causes some uncertainty in application. With regard to fishing, the relevant articles of the Convention deal with the exclusive economic zone and the use of the high seas and include certain provisions on conservation and management of marine resources. It would appear to be generally accepted that these provisions are valid international law and that those provisions of the Convention dealing with the exclusive economic zone would also apply to an exclusive fishing zone.

2. Exclusive Economic Zones

The 1982 Convention provides for a coastal state to have an exclusive economic zone (EEZ) of 200 nautical miles (Article 57) with sovereign rights being accorded with regard to the exploration and exploitation of the natural resources, including living marine resources, of that zone. Although the Convention was not concluded until 1982, discussions on the creation of these zones took place in 1975. Soon afterwards, states began to assert the concept by proclaiming 200-mile fishing zones and full-fledged economic zones. Canada proclaimed a 200-mile fishing zone in 1977 under the authority of the *Territorial Sea and Fishing Zones Act*. The United States claimed an exclusive economic zone in 1983. By November of 1986, some 69 coastal states had proclaimed such zones. While Canada's claim to fishing jurisdiction is based on an exclusive fishing zone, an exclusive economic zone never having been declared, it is the position of the Department of External Affairs that the same rights and obligations with regard to fishing flow from both regimes.

Article 56 of UNCLOS provides that the coastal state has sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters of the zone; it also imposes an obligation to consider the rights and duties of other states. Article 61 places responsibility for conservation of the living resources of the zone on the coastal nation, which is to determine the allowable catch in the zone and to promote the optimum utilization of the living resources in it. The coastal nation is also given the right to establish certain rules and regulations governing the catch in the zone. What has been accorded is not full sovereignty, but, rather, rights subject to obligations; however, observers have noted

that coastal nations are behaving as if full sovereignty had in fact been granted. Thus it is possible under international law for those nations who have declared exclusive zones to prohibit the use of driftnets within their territory. In Canada, large-scale driftnetting is not permitted in the exclusive fishing zone. (A very small number of vessels is said to be engaged in small-scale driftnetting operations on the Atlantic coast.)

3. The High Seas

a. Principles of Regulation

The question of regulation of fishing on the high seas is more contentious. The high seas are essentially those bodies of water not included in the exclusive economic zone, territorial waters or the archipelagic waters of an archipelagic state. They are a common property. The customary rule of freedom to fish has been modified by the UNCLOS. Under Article 116, all states have the right for their nationals to engage in fishing on the high seas, subject, however, to treaty obligations; to Articles 117 to 120 of the Convention, dealing with conservation of the living marine resources of the seas; and to Articles 64 to 67, dealing with conservation of straddling stocks, highly migratory species, marine mammals, anadromous stocks and catadromous species. The conservation obligations may not be universally accepted: some observers have noted the tendency of states to accept the rights imbedded in the UNCLOS but not the obligations regarding conservation and management regimes.

Nonetheless, there seems to be general agreement that Article 66 governs the control of anadromous stocks, which include salmon (anadromous species being those which return to the rivers of their origin to spawn). Article 66 places the authority for the conservation of anadromous stocks, including stocks outside the EEZ, with the state of origin. It establishes the general principle that salmon fisheries should generally be only conducted within the economic zone, but does provide for exception where the principle might lead to economic dislocation of states other than the state of origin. In respect of international management and enforcement on the high seas, the article calls for mutually agreed on enforcement measures between the state of origin and other concerned

states, and provides for the possibility of regional organizations in implementing such measures. The UNCLOS does contain provisions dealing with dispute resolution (Part XV) but these are not being relied upon in the absence of ratification.

b. Treaty Obligations Regarding Salmon Fishing

The right to fish on the high seas was made subject to treaty obligations under Article 116. Also Article 311 provides that the UNCLOS shall not alter the rights and obligations of parties which arise from other agreements compatible with the Convention. Parties may agree to suspend the application of the agreement as it pertains to them, providing that this would not derogate from the principles and provisions of the Convention as a whole or as it affects other parties. Though, in general, international law provides that a later treaty cannot abrogate an earlier one, unless with the agreement of both parties, an existing treaty must be interpreted in light of the new regime.

In 1953, an agreement entered into by the Japanese, Americans and Canadians - the *International Convention for the High Seas Fisheries of the North Pacific Ocean* - came into force. This treaty restricted Japanese salmon fishing to certain areas of the North Pacific. It was established that the Japanese would not fish for salmon west of a line following the 175 degree meridian West longitude. Over time, this line has been pushed back towards Japan. Under a revision to the agreement in 1978, time and place restrictions were imposed on Japanese fishing. Japan has also fished for salmon in the North Pacific under agreements negotiated between the Soviet Union and Japan.

Initiatives taken under the auspices of the International Commission for North Pacific Fisheries (INPFC), established by the above-mentioned trilateral Convention, include the cooperation of the United States, Canada and Japan in relevant scientific studies and in developing conservation and enforcement measures. For example, in 1988, the Canadian government proposed the creation of a working group to cooperate in the prosecution of those involved in the marketing of salmon taken from the North Pacific by non-INPFC members. In 1989, proposals from the Canadian representative resulted in the creation of a working group within the

Commission to investigate alternatives to driftnet fishing for salmon. Also under the INPFC, studies have been undertaken and information exchanged with regard to the incidental take of marine mammals by driftnet fishing and the problems of marine debris.

Driftnets have been used as a matter of course by the Japanese in their salmon fisheries in the North Pacific, under the management of the INPFC and by agreement with the Soviet Union. However, while Japanese salmon fishing on the high seas is therefore regulated by treaty, such fishing on the high seas by Korea and Taiwan is *prima facie* illegal, by virtue of Article 66 of the UNCLOS. It must be remembered, however, that Korea has signed but not ratified the 1982 Convention, while neither Korea nor Taiwan is a member of the United Nations, and Taiwan is not recognized by most states. Nonetheless, in the absence of any agreement with a salmon-producing nation to permit such fishing, Taiwan and Korea, as members of the international community, would be bound by Article 66 not to undertake prohibited fishing.

4. Regulation of the Squid Fishery

The principle governing driftnet fishing for squid on the high seas is that of freedom to fish, subject to certain conservation requirements. Article 117 establishes the duty for all countries to adopt conservation measures relating to the living resources of the high seas for their nationals. Article 118 establishes the obligation for states to cooperate in the conservation and management of the resources of the high seas. Article 119 imposes a duty on states to establish conservation regimes and take measures to maintain or restore populations at the maximum sustainable yield in light of environmental and economic considerations. The uncertain status of conservation measures, together with the inadequacy of enforcement provisions and mechanisms for action when states do not agree, has limited the usefulness of these Articles. A case could be made, however, that driftnet fishing on the high seas is not consistent with the high seas conservation and environmental principles of the UNCLOS. Such an opinion has been put forth by the South Pacific Forum Fisheries Agency and this premise is included in the Tarawa Declaration (discussed below).

D. Bilateral Arrangements

A number of initiatives dealing with high seas fisheries have been undertaken as the result of negotiations between the United States and Japan, Korea and Taiwan. In 1987, the *Driftnet Impact Monitoring, Assessment, and Control Act of 1987* was passed by the United States Congress. This legislation requires the Secretary of State to negotiate agreements with countries conducting driftnet fishing in the North Pacific Ocean, for the purposes of cooperative monitoring of the fishing activity, assessment of its impact on marine resources, and arranging for the enforcement of regulations and laws governing such fishing. If a foreign government fails to negotiate an arrangement with the United States, steps are to be taken to consider the prohibition of the import of fish products from the offending country.

At least partially as a result of the economic pressure of this legislation, in 1989 agreement was reached with Japan after tripartite consultations that included Canada. Another agreement, made in 1990, strengthens the scientific observer program established in 1989 by increasing the number of scientific observers and providing for the exchange of observer data, as well as extending the observer program to the large mesh fishery for tuna and other larger species. The Government of Japan has also extended some of its domestic regulations governing the high seas squid fishery to cover the large mesh driftnet fishery as well. Provisions include time and place limitations on fishing, prohibitions on retaining stock taken incidentally, the mandatory display of a fishing vessel's name and registration number, mandatory marking of fishing gear, prohibitions on carrying both large and small mesh gear, restrictions on stock mesh size and mandatory submission of catch reports for both the squid and large mesh driftnet fishery. The squid fishery is also limited in total number of vessels, is prohibited from transferring catch at sea, and is obliged to provide certain vessel and operations position data.

The United States negotiated similar agreements with Korea and Taiwan. Many of the regulatory measures put in place by the Korean and Taiwanese governments are general, but do provide benefits for Canada. Under the monitoring and enforcement programs between the United States and

Korea and the United States and Taiwan, fishing vessels must be equipped with transmitters, and enforcement powers have also been established.

None of the agreements, however, prohibits the use of driftnets; rather all are aimed at controlling the salmon bycatch and, as regards Korea and Taiwan, to reducing the illegal taking of salmon. Provisions in each of the agreements also prohibit the discarding of used nets at sea and require that lost nets be reported.

On 31 May 1991, Canada's Minister of Fisheries and Oceans and the Secretary of State for External Affairs announced that a trilateral driftnet observer agreement had been renegotiated by Canada, the U.S. and Japan for the North Pacific squid and tuna fisheries for the period of May 1991 to June 1992. Following consultations with Canada and the U.S., Japan agreed to place 61 scientific observers (10 Canadians, 30 Americans and 21 Japanese) on its squid driftnet vessels, to monitor the catch and bycatch and collect biological samples for study. The Canadian observers are to be placed on Japanese squid vessels that fish close to Canadian salmon migration paths. The agreement also requires that all Japanese driftnet vessels continue to carry satellite transmitters on board to allow monitoring of their movements and to ensure they confine their fishing activities to prescribed fishing areas. In addition, Japan is to pursue an enforcement program, an information gathering program and a continued freeze on the number of driftnet vessels licensed to fish by the Government of Japan. Japan will undertake to prevent the reflagging of such vessels, prohibit the taking of salmon (even incidentally) and double penalties for violations by Japanese squid driftnet vessels.

E. Multilateral Developments

There has been considerable progress towards restraining the use of driftnets. A significant development in this area is a U.N. resolution on large scale pelagic driftnet fishing, co-sponsored by Canada and New Zealand and adopted on 22 December 1989. The U.N. Convention stresses the obligation of members of the international community to cooperate more fully in the conservation of living marine resources. The fishing powers concerned are called upon to share data so that the impact

of such fishing methods can be assessed. The 1989 resolution recommends that all interested members of the international community meet by 30 June 1991 to review the data and decide on further measures. It also recommends that:

- moratoria be placed, by 30 June 1992, on all large scale driftnet fishing on the high seas (this suspension of activity can be lifted or avoided where effective conservation and management practices based on sound analysis are established);
- immediate reductions be made in large scale pelagic driftnet fishing in the South Pacific, leading to the cessation of such fishing on 1 July 1991 (one day after the deadline for the assessment of scientific data), until appropriate conservation and management arrangements are entered into by the concerned parties;
- immediate cessation of further expansion of large scale pelagic driftnet fishing on the high seas of the North Pacific and all other seas outside the Pacific Ocean, subject to the qualifications concerning conservation and management stated above.

The 1989 resolution was adopted without a vote, which indicates a broad degree of support for its provisions. The text is reportedly a compromise between those nations who wanted immediate moratoria and those wishing for further study of the matter.

In December 1990, the United Nations adopted, by consensus, a second resolution on large-scale driftnet fishing, which reaffirmed the 1989 resolution. Co-sponsors were Canada, Australia, Barbados, most countries of the European Community, Japan, New Zealand, Papua New Guinea, Trinidad and Tobago, the United States, the Soviet Union and Vanuatu. Further to the two U.N. resolutions, the Government of Canada hosted a special international meeting in June 1991 to review the available scientific data on driftnetting and its impact on the North Pacific ecosystem.

The status of resolutions of the United Nations in terms of international law is equivocal. Scholars of international law note that the legal value of such resolutions is very individual, depending on the circumstances of their adoption and the principles they state. While

resolutions may contribute to development of international law, they do not create rights or obligations for any states. Although the two U.N. resolutions may not have binding force at law, they do give evidence of the community of opinion on international driftnet fishing and as such carry political and moral weight. It is possible that the resolutions, together with the conservation sections of the UNCLOS, may contribute to the emergence of a new set of norms of international law governing large-scale driftnet fishing.

Widespread opposition to driftnet fishing has also been expressed in other multilateral forums. Nations in the South Pacific region are concerned about the impact of driftnet fishing by Taiwan, Japan and Korea on the sustainability of their fish stocks. In July 1989, at an annual meeting of the South Pacific Forum, the South Pacific nations issued the Tarawa Declaration, which seeks to establish a management regime for albacore tuna in the South Pacific and to ban driftnet fishing from the region. It is estimated that three or four times the sustainable harvest of the area was taken in 1989, largely as a result of the unprecedented increase in fishing vessels employed by Taiwan. The nations who signed this declaration include Australia, New Zealand, Micronesia, Kiribati, Papua New Guinea, the Solomon Islands, Tuvalu, Samoa, the Cook Islands, Fiji, Nauru, Niue, the Marshall Islands, Tonga, and Vanuatu.

Subsequently, these nations, together with France, Pauli, Pitcairn, Tokelu, and Western Samoa, concluded a treaty, the *Convention to Prohibit Driftnet Fishing in the South Pacific*. The Parties have agreed to prohibit their own nationals from driftnet fishing in the South Pacific as well as taking measures consistent with international law to restrict fishing activities within the Convention Area. In July 1990, Japan announced that it was stopping driftnetting in the South Pacific. In September 1991, Canada signed the Convention as an "expression of solidarity" with South Pacific countries.

In October 1989, at the Commonwealth Heads of Governments meeting at Langkawi, Malaysia, Canada was among the nations which made a declaration on the environment including a commitment to discourage and restrict non-sustainable fishing practices and to seek to ban pelagic

driftnet fishing. This declaration is notable in that a large member of developing countries, as well as the industrialized nations, supported the principle of a ban.

Another development in 1989 was the Proclamation on the High Seas Driftnet Fisheries in the North Pacific Ocean; this was signed by the Premier of British Columbia and the Governors of the States of Alaska, Washington, Oregon, Idaho, California, and Hawaii and directed to the federal governments of Canada and the United States. It requested that reductions in the Japanese salmon fisheries be sought; that measures be sought to reduce the impact of high seas squid fleets on the incidental take of fish, marine mammals and seabirds; that agreement be sought on a new Convention between Japan, Canada, the United States and the U.S.S.R. that would prohibit all salmon fishing on the high seas of the North Pacific; that a multinational research organization for the Pacific be established; that international agreements be reached to limit the marketing of illegally harvested salmon; and that increased resources be provided for the monitoring and enforcement of international agreements.

Preliminary results of the multinational research study conducted between June and October 1989 by Canadian, American and Japanese observers aboard Japanese driftnet vessels in the North Pacific, have revealed great waste and the potential for widespread destruction of sea birds and non-commercial varieties of fish and marine mammals.

Faced with U.S. threats of trade sanctions and international pressure, on 26 November 1991 Japan agreed to comply with the 1989 U.N. resolution calling for a moratorium on the use of driftnets. Japan agreed to reduce its driftnet fishing capacity by half by 30 June 1992, and to end driftnet fishing altogether by the end of 1992. It is hoped that Japan's decision will put pressure on Taiwan and Korea to follow suit.

F. Canadian Initiatives

Canada does not permit large scale driftnetting within its own fishing zone. It enacted regulations in 1987 prohibiting the importation of North Pacific salmon from other than INPFC members under the *North Pacific Fisheries Convention Regulations* and is involved in

taking action to discourage those nations engaged in marketing illegally caught salmon. Canada has been working closely with U.S. enforcement authorities to prevent attempts by brokers to launder through North American ports and third world countries any Pacific salmon caught on the high seas. Long-range surveillance flights by the Department of National Defence Aurora aircraft were instituted in 1990 to deter illegal fishing activity in the North Pacific. A number of research programs into the effects of driftnetting have been initiated within the federal Department of Fisheries and Oceans.

At the provincial level, in 1989 British Columbia hosted a conference dealing with this issue which brought together concerned Canadians and Americans and observers from the South Pacific.

PARLIAMENTARY ACTION

Activity in international relations, including entering into treaties, is conducted by the Government of Canada under the prerogative power. Little direct parliamentary action has been involved; consequently, this overview will include government action.

In 1952, Canada, together with the United States and Japan, concluded the *International Convention for the High Seas Fisheries of the North Pacific Ocean*, which entered into force in 1953. This was brought into domestic law by Parliament under the *North Pacific Fisheries Convention Act* in 1953. An exclusive fishing zone under the *Territorial Sea and Fishing Zones Act* was established in 1977, and in 1982, Canada signed the *United Nations Convention on the Law of the Sea*, although it did not ratify it. Five years later, the Canadian government announced that large-scale driftnet fishing would not be permitted in the Canadian fisheries zone. On 22 October 1991, the Minister of Fisheries and Oceans and the Secretary of State for External Affairs announced that Canada had signed and ratified a convention to establish a North Pacific marine science organization (to be known as the Pacific International Council for the Exploration of the Sea or PICES). The organization will provide a scientific forum to discuss issues such as high seas driftnet fishing.

In 1989, British Columbia hosted a conference on driftnet fishing at which a joint declaration was made by Governors of several U.S. states and the Premier of British Columbia. In 1989 and in 1990, Canada co-sponsored U.N. resolutions on driftnet fishing. The Government of Canada hosted a special international meeting in June 1991, to review scientific data on driftnet fishing and its impact on the North Pacific ecosystem.

CHRONOLOGY

- 1952 - Canada entered into a tripartite agreement (the *International Convention for the High Seas Fisheries of the North Pacific Ocean* with the United States and Japan, governing fishing for salmon in the North Pacific. The Convention came into force in 1953.
- 1973 - Negotiations began on the United Nations Convention on the Law of the Sea.
- 1977 - Canada declared a 200-mile exclusive fishing zone under the *Territorial Sea and Fishing Zones Act*.
- 1982 - Canada signed the 1982 *United Nations Convention on the Law of the Sea* but has not ratified it.
- 1987 - Canada announced a policy that the practice of large scale driftnet fishing in the 200-mile zone would not be permitted.
- 1987 - Canada strengthened existing regulations banning the importation of salmon from the North Pacific by non-INPFC members.
- 1987 - The United States passed the *Driftnet Impact Monitoring, Assessment, and Control Act of 1987* under which it was mandated to seek agreement with Japan, Korea and Taiwan on the monitoring of driftnet fishing in the North Pacific.
- 1988 - Canada requested that the International North Pacific Fisheries Commission form a working group to seek initiatives to control the marketing of illegally caught salmon.
- 1989 - Canada, the United States and Japan reached agreement on scientific observer programs and the monitoring of the

driftnet fleet operations. Japan complied with the *Driftnet Impact Monitoring, Assessment, and Control Act of 1987* through domestic legislation.

- 1989 - The United States reached agreement with Korea and Taiwan on scientific observers, enforcement and monitoring of driftnet operations in the North Pacific. Korea and Taiwan introduced domestic regulations dealing with driftnet fisheries.
- 1989 - The nations of the South Pacific region met to discuss driftnet fishing and to seek a ban on driftnet fishing in the South Pacific. They issued the Tarawa Declaration.
- 1989 - At Canada's initiative, the INPFC formed a working group to consider alternatives to driftnet fishing technology.
- 1989 - British Columbia hosted a conference on driftnet fishing. A declaration was made by the Premier of the province and the Governors of several U.S. states.
- 1989 - At Langkawi, Malaysia, the Commonwealth Heads of Government issued a statement on the environment supporting a ban on large scale driftnet fishing.
- 1989 - The nations of the South Pacific concluded the *Convention to Prohibit Driftnet Fishing in the South Pacific*.
- 1989 - Canada co-sponsored a United Nations Resolution on Driftnet Fishing.
- 1990 - A revised agreement on driftnet operations in the North Pacific was negotiated by Canada, the United States and Japan.
- 1990 - Canada co-sponsored a second United Nations Resolution on Driftnet Fishing. The resolution was adopted because of concerns over reported attempts at circumventing the previous resolution by expanding driftnetting into new areas and reflagging fishing vessels.
- 1991 - A trilateral driftnet observer agreement was renegotiated by Canada, the U.S. and Japan for the North Pacific squid and tuna fisheries (for the period of May 1991 to June 1992).
- 1991 - Japan agreed to comply with the 1989 U.N. Resolution; it agreed to reduce its driftnet fishing capacity by half by 30 June 1992, and to end driftnet fishing altogether by the end of 1992.

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